

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

v.

Texas Instruments, Inc., et al.,

Defendants.

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Civil Action No. 6:12-cv-00499

JURY TRIAL DEMANDED

**DECLARATION OF RANDALL GARTEISER IN SUPPORT OF BLUE SPIKE,
LLC'S OPPOSITION TO ENSEQUENCE, INC.'S MOTION TO DISMISS**

I, Randall Garteiser, declare and state as follows:

1. I, Randall Garteiser, am a partner in the law firm of Garteiser Honea. We represent plaintiff Blue Spike, LLC, in this lawsuit. I make this declaration in support of Blue Spike, LLC's Opposition to Ensequence's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue. I have personal knowledge of the facts set forth herein and if called as a witness could competently testify thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of a screen shot of Ensequence's website at www.ensemble.com/clients as visited on November 2, 2012.

3. Attached hereto as Exhibit 2 is a true and correct copy of a screen shot of Ensequence's website www.ensemble.com/itv-manager-programmer-edition as visited on November 2, 2012.

4. Attached hereto as Exhibit 3 is a true and correct copy of a screen shot of Ensequence's website www.ensemble.com/about-ensemble as visited on November 2, 2012.

5. Attached hereto as Exhibit 4 is a true and correct copy of a screen shot of Comcast's website www.comcast.com/corporate/shop/products/local/texas/tx/tyler.html as viewed on November 5, 2012.

6. Attached hereto as Exhibit 5 is a true and correct copy of a screen shot of website www.the33tv.com/news/kdaf-mtv-in-north-texas-casting-for-new-show-20120125,0,5400486.story as viewed on November 5, 2012.

7. Attached hereto as Exhibit 6 is a true and correct copy of a screen shot of the website jobs.espn.com/careers.com/texas-jobs as viewed on November 5, 2012.

8. Attached hereto as Exhibit 7 is a true and correct copy of a screen shot of Hewlett-Packard Development Center, L.P. with a listing for Texas with a number for technical service, including for Snapfish, as visited on November 5, 2012.

9. Attached hereto as Exhibit 8 is a true and correct copy of a screen shot of Ensequence's website www.ensemble.com/advertisers as visited on November 2, 2012.

10. Attached hereto as Exhibit 9 is a true and correct copy of a screen shot of Ensequence's website www.ensemble.com/contact-ensemble as visited on November 2, 2012.

11. Attached hereto as Exhibit 10 is a true and correct copy of a screen shot of Ensequence's website as visited on November 5, 2012.

12. Attached hereto as Exhibit 11 is a true and correct copy of a screen shot of website finance.yahoo.com/news/Ensequence-Zeitera-Partner-iw-2570145828.html as visited on November 5, 2012.

13. Attached hereto as Exhibit 12 is a true and correct copy of a screen shot of an Ensequence website as visited on about November 2, 2012.

14. Attached hereto as Exhibit 13 is a true and correct copy of a screen shot of website as visited on about November 2, 2012.

I declare under penalty of perjury under the laws of the State of Texas that the foregoing is true and correct, and that this declaration was executed on this 8th day of November 2012, in San Rafael, California.

/s/ Randall T. Garteiser
Randall Garteiser